

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 300 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ASHOKBHAI KANAIYALAL

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner (Legal assistance rendered by Mr.Satish Patel, Learned Advocate)
Mr. UR BHATT, A.P.P. for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 17/03/97

ORAL JUDGEMENT

Rule. Service of Rule waived by Mr.U.R.Bhatt, learned A.P.P. for the respondents.

2. Heard. The detailed facts set out by the prisoner in his application clearly indicates that he will not be in a position to get appropriate assistance from the Legal Aid Committee, as according to the opinion

of the Legal Aid Committee his is not a fit case to prefer the appeal before the Honourable Supreme Court. In that view of the matter he wants to take assistance from the Advocate of his own choice. It is obvious that he will have to be permitted to approach the Honourable Supreme Court by having legal assistance of his choice. His jail conduct is good and he surrendered well in time on an earlier occasion. In that view of the matter following direction is issued :

The petitioner - prisoner shall be enlarged on parole for a period of three weeks on usual terms and condition as also the condition that might be imposed by the concerned jail Authority in order to enable the petitioner to file Appeal before the Honourable Supreme Court.

Rule made absolute in these terms.

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